

1 BILL NO. S-82-06-28

2 SPECIAL ORDINANCE NO. S- 119-821

3 AN ORDINANCE approving Resolution No.
4 72-10-35, Optional Cash Payment in
5 Lieu of Monthly Special Capital
6 Surcharge Payments, for the Board
7 of Public Works.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the Resolution No. 72-10-35, dated
11 June 16, 1982, by the Board of Public Works of the City of
12 Fort Wayne, Indiana providing that the sewage works owned
13 and operated by the City of Fort Wayne, Indiana be authorized
14 to accept a single cash payment of Four Hundred and No/100
15 Dollars (\$400.00), in lieu of the monthly charge of Four and 65/100
16 Dollars (\$4.65) levied by the Common Council of the City of
17 Fort Wayne, Indiana from users subject to such monthly charge,
18 provided, that such cash payment is made prior to August
19 31, 1982, all as more particularly set forth in said Resolution,
20 which is on file in the Office of the Board of Public Works
21 and is by reference incorporated herein, made a part hereof,
22 be and the same is in all things hereby ratified, confirmed
23 and approved.

24 SECTION 2. That this Ordinance shall be in full
25 force and effect from and after its passage and approval by
26 the Mayor and the legal publication thereof.

27 
28 Councilmember

29 APPROVED AS TO FORM
30 AND LEGALITY

31 
32 Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Burns, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 6-22-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

| | AYES | NAYS | ABSTAINED | ABSENT | TO-WIT: |
|-------------|----------|----------|-----------|----------|---------|
| TOTAL VOTES | <u>8</u> | <u>0</u> | _____ | <u>1</u> | _____ |
| BRADBURY | <u>X</u> | _____ | _____ | _____ | _____ |
| BURNS | <u>X</u> | _____ | _____ | _____ | _____ |
| EISBART | <u>X</u> | _____ | _____ | _____ | _____ |
| GIAQUINTA | <u>X</u> | _____ | _____ | _____ | _____ |
| NUCKOLS | _____ | _____ | _____ | <u>X</u> | _____ |
| SCHMIDT | <u>X</u> | _____ | _____ | _____ | _____ |
| SCHOMBURG | <u>X</u> | _____ | _____ | _____ | _____ |
| STIER | <u>X</u> | _____ | _____ | _____ | _____ |
| TALARICO | <u>X</u> | _____ | _____ | _____ | _____ |

DATE: 7-12-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) _____ (GENERAL) _____ (ANNEXATION) _____ (SPECIAL) _____

(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 2-118-82
on the 13th day of July, 1982

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 1982, at the hour of 11:30 o'clock PM, E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 14th day of July, 1982, at the hour of 2 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. S-82-06-28

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN
ORDINANCE approving Resolution No. 72-10-35, Optional Cash Payment in
Lieu of Monthly Special Capital Surcharge Payments, for the
Board of Public Works

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE 20 PAGES.

PAUL M. BURNS - CHAIRMAN

MARK E. GIAQUINTA - VICE CHAIRMAN

JAMES S. STIER

JANET G. BRADBURY

ROY J. SCHOMBURG

7-13-82 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

Optional Cash Payment in Lieu of Monthly
Special Capital Surcharge Payments

WHEREAS, the Common Council of the City of Fort Wayne has heretofore enacted a Special Capital Surcharge of \$4.65 per month to be paid by certain users discharging wastes into the sewage systems acquired by the City and which are located in St. Joseph and Washington Townships, Allen County, Indiana; and

WHEREAS, said monthly surcharge remains in full force and effect until the principal and interest and other costs associated with financing the purchase of said sewage systems have been fully amortized; and

WHEREAS, certain users subject to said monthly surcharge have requested the option to pay cash in advance, discounted for the present value of said cash payment, in lieu of paying principal, interest and costs to maturity; and

WHEREAS, the City's financial consultant, Bernard T. Perry, who is currently proposing issuance of sewage works revenue bonds to refund bank loans incurred to pay the purchase costs of said sewage systems which are to be amortized by the monthly surcharge of \$4.65, has advised the Board of Public Works that the discounted present value of said monthly payments is \$400 cash, if paid prior to September 1, 1982,

NOW, THEREFORE, BE IT RESOLVED, in consideration of the foregoing findings of the Board, as follows:

1. The sewage works owned and operated by the City is hereby authorized to accept a single cash payment of \$400, in lieu of the monthly charge of \$4.65 heretofore levied by the Common Council, from users subject to such monthly charge, provided, however, that such cash payment is made prior to August 31, 1982.

2. In the event a user adopts the option of making said one-time cash payment in lieu of said monthly payments referred to herein, the sewage works is hereby authorized to reduce the cash payment required by any monthly payments made by user in the interim.

Adopted this 16th day of June 1982.

BOARD OF PUBLIC WORKS


Stephen Bailey, Chairman


Roberta Staten, Member


Betty R. Collins, Member

ATTEST:


Sandra Kennedy, Clerk

TITLE OF ORDINANCE

Resolution 72-10-35

J-82-06-28

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE The sewage works owned and operated by the City is hereby authorized to accept a single cash payment of \$400.00, in lieu of the monthly charge of \$4.65 levied by the Common Council, from users subject to such monthly charge, provided, that such cash payment is made prior to August 31, 1982.

In the event a user adopts the option of making said one-time cash payment in lieu of said monthly payments referred to herein, the sewage works is hereby authorized to reduce the cash payment required by any monthly payments made by user in the interim.

EFFECT OF PASSAGE certain users can pay one sum and save money.

EFFECT OF NON-PASSAGE all users would have to pay principal, interest and costs to maturity.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) -

ASSIGNED TO COMMITTEE



The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk — Room 122

July 14, 1982

Ms. Judy High
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of
July 21 and July 28, 1982, in both the News Sentinel
and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-82-06-23
Zoning Map Ordinance No. Z-15-82

Bill No. G-82-04-17
General Ordinance No. G-14-82

Bill No. S-82-06-28
Special Ordinance No. S-119-82

Please send us 14 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne

ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 13th day of July, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82 -- AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-15

Notice is hereby given that on the 13th day of July, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-82-04-17 -- General Ordinance No. G-14-82 -- AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain easement

Notice is hereby given that on the 13th day of July, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 -- AN ORDINANCE approving Resolution No. 72-10-35, Optional Cash Payment in Lieu of Monthly Special Capital Surcharge Payments, for the Board of Public Works

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-06-23 -- Zoning Map Ordinance Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 were passed by the Common Council on the 13th day of July, 1982, and said Ordinances were signed and approved by the Mayor on the 14th day of July, 1982, and remains on file and on record in my office.

Copies of Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 21, 1982.

Charles W. Westerman
Charles W. Westerman, City Clerk

Charles W. Westerman
Charles W. Westerman, City Clerk

(Governmental Unit)

To.....JOURNAL-GAZETTE.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

| | |
|---|-------|
| Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines | _____ |
| Head number of lines | 1 |
| Body number of lines | 86 |
| Tail number of lines | 2 |
| Total number of lines in notice | 89 |

COMPUTATION OF CHARGES

89 lines, 1 columns wide equals 89 equivalent lines at .300¢ \$26.70
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) 6.00

Charge for extra proofs of publication (50 cents for each proof in excess of two) 12 extra

TOTAL AMOUNT OF CLAIM \$32.70

DATA FOR COMPUTING COST

Width of single column 9.6 picas Size of type 6 point
Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 28 19 82

Amiller De Veld
Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows: 7/21 - 7/28/82

Subscribed and sworn to before me this 28th day of July 19 82
Amiller De Veld
Notary Public
My commission expires November 29, 1985

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ATTACH C
ADVERTISEM
LEGAL NOTICE
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Notice is hereby given that on the 13th day of July, 1982, the

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Fort Wayne Common Council
(Governmental Unit)

To... NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

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Date July 28, 1982

Form

signed and approved by the Mayor on the 14th day of July, 1982, and remains on file and on record in my office.

Copies of Bill No. Z-82-06-23 - Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 - General Ordinance No. G-14-82 and Bill No. S-82-06-28 - Special Ordinance No. S-119-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana:

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Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 21, 1982.

Charles W. Westerman, City Clerk
7-21-28

D. ROOSE

Title CLERK

PUBLISHER'S AFFIDAVIT

SS:

appeared before me, a notary public in and for said county and state, the D. ROOSE

CLERK

NEWS-SENTINEL of the

DAILY newspaper of general circulation printed and published

language in the city of FORT WAYNE, INDIANA town

county aforesaid, and that the printed matter attached hereto is a true copy, published in said paper for two times, the dates of publication being

7/21 - 7/28/82

and sworn to before me this 28th day of July, 1982

My commission expires November 29, 1985

LEGAL NOTICE

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Fort Wayne Common Council

(Governmental Unit)

To... NEWS-SENTINEL Dr.

Allen

County, Ind

FORT WAYNE, INDIANA

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Number of insertions 2

Size of quad upon which type is cast .6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. ROOSE

Date July 28, 1982

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, D. ROOSE who, being duly sworn, says that she is, CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

7/21 - 7/28/82

Subscribed and sworn to before me this

28th

day

July

1982

My commission expires

November 29, 1985

Notary Public

